

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRAINWAVE SCIENCE, INC.

Plaintiff

Affidavit of Dr. Lawrence A. Farwell in
Response to Order of 3/2/2022

- against -

Civil Action No.: 21-cv-4402 (BMC-RLM)

ARSHEE, INC., DR. LAWRENCE A.
FARWELL, DR. THIERRY MAISON and
BRAIN FINGERPRINTING FOUNDATION

Defendants.

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Abul Kalam Azad, being duly sworn, declares under penalty of perjury as follows:

1. I am the CEO of Defendant Arshee, Inc. I am submitting this Affidavit on behalf of Arshee, Inc. establishing that (A) I have complied with the presently imposed preliminary injunction and (B) I have a plan in place to retain all records related to this litigation.
2. Said preliminary injunction stated as follows:
 1. Defendants must take any and all commercially-practicable actions to recall or replace any software containing plaintiff's "confidential or proprietary information" from third parties;
 2. Defendants must not sell or transfer plaintiff's "confidential or proprietary information;"
 3. Defendants must not use plaintiff's "confidential or proprietary information" in any software update or product demonstration; and

4. Defendants must provide to plaintiff, at plaintiff's sole expense, a report from an independent third party confirming that any P300-related software demonstration, sale, update, or transfer by defendants does not include plaintiff's "confidential or proprietary information."

3. I am complying with the above provisions in the following ways.

4. I have not sold or transferred any software that contains "plaintiff's proprietary information," or for that matter any P300-related software, and will not do so.

5. I have not used "plaintiff's proprietary information" in any software update or product demonstration, and have not conducted any P300-related updates or product demonstrations, and will not do so.

6. Regarding retaining all records related to this litigation, I have a plan in place. This comprises retaining and backing up all relevant emails, keeping and backing up notes on all relevant phone calls and meetings, scanning and backing up all relevant documents received by mail or in person, and in general acting in good faith to follow the letter and the spirit of requirements of the Court for maintaining such records.

[Signature page immediately follows.]

Arshee, Inc.

By: _____

Abul Kalam Azad, CEO

Date: 03.21.2022

Email: arsheeinc@gmail.com

Website:

Phone:

Mobile: 509-942-8817

Address: 1251 Edmonds Birch St
WA - 98020

cc: Paul Tomkins, Esq.

Dr. Thierry Maison

Dr. Lawrence Farwell

State of WA

County of Snohomish

Sworn to (or affirmed) and subscribed before me
this 21st day of March 2022, by

Abul Kalam Azad

Michael Springer

Notary Public's Signature Notary Name

Personally known OR

Type of Identification Produced WADL

